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## MEMORANDUM ENDORSED

January 30, 2022

**Via ECF**

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Hon. Gregory H. Woods  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

**Re: *Toxqui v. The Jade Farm LLC, et. al* – No. 22-cv-7899 – Notice of Settlement in Principle and Request for Adjournment**

Dear Judge Woods,

The parties in the above captioned action write jointly to notify the Court that the parties reached a settlement in principle in this case and, pursuant to your Honor's Individual Rule I(E), to request an adjournment of the pre-motion conference scheduled for Tuesday, January 31, 2023. The parties have agreed to labor to execute a final settlement by February 10, 2023, after which the parties intend to submit the settlement to the Court for approval pursuant to *Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015). Should the parties require additional time to finalize the settlement, we will submit a further joint letter prior to February 10<sup>th</sup> to provide a status update.

We thank the Court for its careful consideration of this matter.

Respectfully Submitted,

*s/Michael DiGiulio* \_\_\_\_\_  
 Michael DiGiulio  
 JOSEPH & KIRSCHENBAUM, LLP  
 32 Broadway, Suite 601  
 New York, NY 10004  
*Attorney for Plaintiff*

CC: Counsel for Defendants (via ECF)

Application granted. The conference scheduled in this case for January 31, 2023 is adjourned *sine die*. The parties are directed to submit either a final settlement or a status update no later than February 10, 2023. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 30.

SO ORDERED.

Dated: January 30, 2023  
 New York, New York

  
 GREGORY H. WOODS  
 United States District Judge